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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

re PATENT APPLICATION of:

Applicant : Wuping DONG)
Serial No. : 09/458,820)
Filed : December 13, 1999)
For : TICKET BOOKING SYSTEM)
AND ISSUING SYSTEM AND)
METHOD FOR THE SAME)
Attorney Ref. : FUJI 111)

APPEAL BRIEF

February 28, 2006

Attn: Mail Stop Appeal Brief-Patents

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTION

This is an Appeal to the Board of Patent Appeals and Interferences from the decision, in the Office Action of July 29, 2005, finally rejecting claims 1-6. A Notice of Appeal and a Petition for an Extension of Time was filed on December 28, 2005, thus making February 28, 2006 the due-date for the present Brief.

A fee of \$ 500 is being submitted concurrently. Should this remittance be accidentally missing, however, or should any additional fees be needed (including extension of time fees, since Appellant hereby provisionally petitions for any extensions that may be deemed necessary to avoid abandonment), the Director may charge such fees to our Deposit Account number 18-0002.

FEE ENCLOSED: \$ 500
Please charge any further
fee to our Deposit Account
No. 18-0002

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APPEAL BRIEF

09/458,820

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(i) REAL PARTY IN INTEREST

The real party in interest in this appeal is the assignee, Oki Electric Industry Co., Ltd., having an office at 1-7-12 Toranomom, Minato-ku, Tokyo 108-8460, Japan.

(ii) RELATED APPEALS AND INTERFERENCES

To the best of the knowledge and belief of the undersigned attorney, there are no prior or pending appeals, interferences, or judicial proceedings which may be related to, directly affect or be directly affected by, or have a bearing on the Board's decision in the pending appeal.

(iii) STATUS OF THE CLAIMS

Claims 1-6 are pending in this application. They all stand finally rejected. No claims have been allowed, and none have been cancelled.

(iv) STATUS OF AMENDMENTS

An paper entitled "Response After Final Rejection" was filed on October 28, 2005, but presented no changes in the application. An Advisory Action dated November 16, 2005 reported that the Examiner continues to reject the claims.

(v) SUMMARY OF CLAIMED SUBJECT MATTER

The present application is directed to a ticket booking and issuing system, particularly a system for use by an organization such as a company with employees who need to travel.

Figure 1 of the present application's drawings illustrates an airline's ticket reservation system 10. It communicates with a company's in-house agency system 20 via a dedicated line 40. The ticket reservation system 10 also communicates with PCs owned by the company via the internet, 50. The in-house agency system 20 includes a net server 21, a client 22, and a ticket booking and issuing terminal 23, all of which are linked by a local area network 25 that also serves the company's PCs 30. A ticket issuing printer 24 is connected to the terminal 23.

An example of how the system works will now be summarized with reference to Figures 1 and 3. Suppose that one of the company's employees needs to fly to a different city in order to make a presentation to a customer. In step 1 of Figure 3, the employee uses one of the PCs 30 to access the in-house agency system 20 (page 9, lines 13-17). After logging in and entering a password, in step 5 the employee selects a service that is desired (here, booking a ticket on a plane) from a User Information Screen (page 10, lines 7-10). The net server 21 of the in-house agency system 20 then sends the employee information such as the names and internet addresses of airlines that have contracts with the company, and this information is displayed to the employee in step 8 (page 10, line 14 to page 11, line 3). After the employee selects one of the airlines in step 9, an internet connection is established between the PC 30 and the website of the selected airline in step 10 (page 11, lines 4-14). The airline's website sends the employee a ticket booking input screen, an example of which is shown in the upper right-hand corner of Figure 4, and the employee then inputs data for booking a ticket (such as the departure time and date, flight number, and name) in step 12 (page 11, lines 7-24). If the employee's booking request is accepted, the employee inputs a ticket issue request in step 15 (page 11, line 25 to page 12, line 25).

This request includes booking data and is sent from the PC 30 to the net server 21 and the ticket booking and issuing terminal 23 of the in-house agency system 20 in steps 18 and 19 (page 12, line 26 to page 13, line 3). The terminal 23 of the in-house agency system 20 then communicates with the selected airline 10 over the dedicated line 40 in step 20 to carry out the ticket issuing process, and the ticket is printed at the terminal 23 in step 21 (page 13, lines 12-22).

From the above summary, it will be seen that an employee who needs an airline ticket can book the ticket using a PC 30 and an airline that is selected by the employee. The ticket is actually issued, though, through the in-house agency system 20, based on booking data sent from the PC 30 over the local area network 25.

(vi) GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1, 2, 5, and 6 stand rejected for obviousness based on U.S. patent 5,781,892 to Hunt et al (hereafter simply "Hunt"), U.S. patent 5,237,499 to Garback, U.S. patent 6,412,073 to Rangan, and U.S. patent 6,442,526 to Vance et al (hereafter "Vance").

Claims 3 and 4 stand rejected for obviousness based on Hunt, Garback, Rangan, Vance and U.S. patent 5,732,398 to Tagawa.

(vii) ARGUMENT

Independent Claim 1:

The preamble of claim 1 is directed to a system that includes a net server, an issuing terminal that is interconnected to the net server via a LAN and that is also interconnected to external reservation systems via at least one communication line, and a personal computer

that is interconnected to the net server via the LAN. The body of claim 1 then recites “a booking step of making a booking from said personal computer through one of said external reservation systems, said booking step including” various sub-steps, and “an issuance step for issuing a booked ticket by said issuing terminal, said issuing step including” various sub-steps.

One of these sub-steps in the booking step of claim 1 is “sending home page addresses of said external reservation systems from said net server to said personal computer via said local area network in accordance with” a ticket booking commencement request from the personal computer. The Office Action of July 29, 2005 (which will hereafter be called the “Final Rejection”) takes the position that Hunt discloses “sending ‘terminal addresses’ (reads on ‘home page addresses’) from ‘gateway process 50’ (reads on ‘said net server’) to said personal computer (Hunt: col. 4 line 67 to col. 5 line 2; col. 7 lines 5-56).” Applicants respectfully disagree. Hunt is directed to a system for use by a travel agency when communicating with computer reservation systems of airlines, for example. The “Background of the Invention” section of the reference notes that computer reservation systems use hard-to-understand codes, which differ from one computer reservation system to another. A travel agent who wants to interact with different computer reservation systems must learn different code languages and avoid mixing them up. Hunt’s “Background of the Invention” section also states (at column 1, lines 52-57):

Some existing systems require a travel agency to obtain a terminal address for each simultaneous session that the agency has connected to the reservation system. These sessions usually start when an agent starts to work, and end when an agent leaves, thereby requiring one terminal address per agent.

The invention in the Hunt reference is to interpose a server 14 with a gateway 22 between the computers of the travel agents (clients 12 in the reference) and the computer reservation systems (CRS's). The reference notes several advantages that arise from this, including the advantage that travel agents need to learn only one program rather than different cryptic code languages for multiple computer reservation systems (column 2, lines 29-32).

Figure 3 of the reference schematically illustrates Hunt's overall scheme: the client applications 20 (meaning the computers of the travel agents) communicate with the gateway application 22 of the server, and the gateway application 22 communicates with the computer reservation systems CRS's.

The Hunt reference says that any communication system can be used for communication with the CRS's (col. 3, lines 39-41) but does not specifically mention the internet.

The passage at column 7 of the reference that was cited in the Office Action explains an example in which a travel agent wants to find the availability of an airline flight, a hotel room, and a rental car, in which case the gateway process 50 (shown in Figure 4 of the reference) "would establish three sessions, each of these three sessions employing a different terminal address for the computer reservation system" (column 7, lines 15-17). The gateway would use one of these sessions to obtain the availability of the airline flight, another to obtain information about the hotel room, and a third to receive information about the rental car. The gateway 50 would then forward this information in normalized form to the travel agent.

Nothing in the procedure Hunt describes would suggest that Hunt sends terminal addresses (or internet addresses) from his gateway process 50 to the computers of the travel agents. The reference states that Hunt's gateway process 50 "is responsible for dynamically allocating terminal addresses for the computer reservation systems to client applications making calls to the gateway process 50" (column 7, lines 26-28), but this allocation does not mean that terminal addresses are sent to the travel agents. Instead, an ordinarily skilled person would understand that Hunt's gateway process assigns terminal addresses that are to be used by the gateway 50 while it communicates with the CRS's on behalf of the travel agent. Indeed, the whole purpose of the Hunt reference is to make it unnecessary for travel agents to communicate directly with the CRS's.

The booking step of claim 1 also includes a sub-set of "storing, in said personal computer, the home page address sent from said net server into a memory and displaying information corresponding to the home page addresses relating to said external reservation systems on a screen for selection by the user." For this sub-step, the Final Rejection switches from Hunt to Rangan, a reference that is directed to internet portals. Why an ordinarily skilled person who wanted to improve Hunt's travel agency system in some way might think that the internet portal art would be a useful one to scrutinize is not apparent. At any rate, the computers used by Hunt's travel agents do not receive terminal addresses (or home page addresses) and it is therefore unlikely that Rangan would have led an ordinarily skilled person to store such addresses in the travel agent's computers.

The booking step of claim 1 also includes a sub-step of "receiving, in said personal computer, a selection of one of said external reservation systems by the user and reading out the home page address of the selected external reservation system from said memory."

The next sub-step is “connecting said personal computer to a website of the selected external reservation system via the Internet and displaying a reservation screen of a web site of the selected external reservation system.” The references do not suggest sending information about home page addresses of external reservation systems to a PC (or travel agent) so that the travel agent can select one and go to their website.

In the final two sub-steps of the booking step of claim 1, a booking is completed through the website and booking data of a predetermined format is sent from the personal computer to the net server via the local network, with the booking data including a booking number. The Final Rejection relies on Rangan’s reference for the sub-step of completing a booking, and on Garback for the step of sending the booking data to the net server.

Rangan, of course, has nothing to do with booking a ticket, so the Final Rejection’s switch from Rangan to Garback for the sub-step of sending the booking data to the net server may not be as odd as it first appears.

Turning now to the issuance step of claim 1, this step includes sub-steps of “storing a received booking data in said net server, and sending said booking number included in the received booking data to said issuing terminal from said net server,” “transmitting said booking number from said issuing terminal to the selected external reservation system via said at least one communication line,” and “receiving, in said issuing terminal, ticket issuing data from the selected external reservation system to issue the ticket booked in the selected external reservation system.” For these recitations, the Final Rejection appears to rely on Vance. It is respectfully submitted, though, that Vance neither discloses nor suggests storing booking data that has been received from a personal computer in a net server, sending a booking number that was included in the booking data to an issuing

terminal, transmitting this booking number from the issuing terminal to an external reservation system, and receiving ticket issuing data from the external reservation system at the issuing terminal.

For the reasons discussed above, it is respectfully submitted that the references would not have led an ordinarily skilled person to the sub-steps of the booking step and the issuance step of claim 1. Indeed, the references would not have suggested “a booking step for making a booking from said personal computer to one of said external reservation systems ...” in combination with “an issuance step for issuing a booked ticket by said issuing terminal ...” as recited in claim 1, even without the sub-steps.

Four references were combined in the rejection of claim 1. Each of these references discloses a number of features, and these features might be combined in any number of ways. The Final Rejection fails to offer a convincing explanation by an ordinarily skilled person who wanted to improve the arrangement disclosed in the primary reference (Hunt) would have selected from the other references the particular features that the Office Action identifies and combined them in the manner specified in claim 1. The rejection of claim 1 represents no more than a hindsight combination of features extracted from the prior art.

Independent Claim 2:

Independent claim 2 is an apparatus claim that is patentable over the references for many of the same reasons discussed above. For example, claim 2 recites “sending means for sending home page addresses of said reservation systems from said net server to said personal computer via said local network in accordance with said ticket booking commencement request.” As was discussed above, Hunt’s server 14 does not send terminal addresses to Hunt’s clients 12. Claim 2 also recites “receiving means for

receiving, in said personal computer, a selection of one of the external reservation systems by the user and for reading out from said storage means the home page address of the selected external reservation system” and “transmitting and receiving means for connecting said personal computer to a website of the selected external reservation system and displaying a reservation screen thereof ..., and for transmitting and receiving information data including a booking number without the subnet server via the Internet between said personal computer and the selected external reservation system. For reasons along the lines discussed above with respect to claim 1, it is respectfully submitted that these features are not suggested by the references.

Claim 2 also recites a “display means,” a “receiving means” and a “transmitting and receiving means” which provide generally that information corresponding to home page addresses is displayed to a user, who selects one of them and goes to that website. These features are not suggested by the references, either.

Claim 2 also recites a “generating means” in which a personal computer generates booking data of a predetermined format and sends it to a net server, with the booking data including a booking number. The references would not have led an ordinarily skilled person to this.

In the last three “means” clauses of claim 2, the booking data received from the personal computer is used to obtain ticket issuing data from the selected external reservation system. It is respectfully submitted, though, that obtaining ticket issuing data based on booking data received from a personal computer, after the personal computer has been used to obtain data that includes a booking number, is neither disclosed nor suggested by the references.

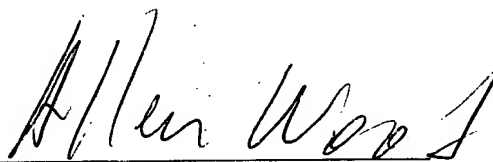
The Dependent Claims:

Since the remaining claims that have been rejected depend from the independent claims discussed above and recite additional limitations to further define the invention, they are patentable along with the independent claims and need not be further discussed.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the inventions defined by claims 1-6 are patentable over the cited references. Accordingly, the Examiner's rejection of these claims should be reversed.

Respectfully submitted,



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(viii) CLAIMS APPENDIX

The claims involved in this appeal are presented below:

1. A booking and issuing method of an intranet ticket booking and issuing system including a net server and an issuing terminal interconnected to said net server via a local area network, said issuing terminal being interconnected to external reservation systems which accept ticket booking requests via at least one communication line, and a personal computer being interconnected to said net server via said local area network and having an Internet connection function, comprising:

a booking step for making a booking from said personal computer to one of said external reservation systems, said booking step including:

addressing a user's ticket booking commencement request to said net server from said personal computer;

sending home page addresses of said external reservation systems from said net server to said personal computer via said local area network in accordance with said ticket booking commencement request;

storing, in said personal computer, the home page addresses sent from said net server into a memory and displaying information corresponding to the home page addresses relating to said external reservation systems on a screen for selection by the user;

receiving, in said personal computer, a selection of one of said external reservation systems by the user and reading out the home page address of the selected external reservation system from said memory;

connecting said personal computer to a website of the selected external reservation system via the Internet and displaying a reservation screen of a web site of the selected external reservation system;

completing a booking through the website, between said personal computer and the selected external reservation system, by transmitting and receiving information data including a booking number without the aid of said net server via the Internet; and

generating, in said personal computer, booking data of a predetermined format by compiling predetermined data included in the information data and sending the booking data of the predetermined format to said net server via said local network, the booking data of the predetermined format including the booking number; and
an issuance step for issuing a booked ticket by said issuing terminal, said issuance step including:

receiving, in said net server, the booking data of the predetermined format;

storing a received booking data in said net server, and sending said booking number included in the received booking data to said issuing terminal from said net server;

transmitting said booking number from said issuing terminal to the selected external reservation system via said at least one communication line, and

receiving, in said issuing terminal, ticket issuing data from the selected external reservation system to issue the ticket booked in the selected external reservation system.

2. A ticket booking and issuing system including a plurality of external reservation systems for accepting ticket booking requests via at least one communication line, a net server and an issuing terminal interconnected to said net server via a local area network, said issuing terminal being interconnected to said external reservation systems via said at least one communication line and a personal computer interconnected to said net server via said local area network and having an Internet connection function, comprising:

addressing means for addressing a user's ticket booking commencement request to said net server from said personal computer;

sending means for sending home page addresses of said reservation systems from said net server to said personal computer via said local network in accordance with said ticket booking commencement request;

storing means for storing, in said personal computer, the home page addresses sent from said net server;

display means for displaying information corresponding to the home page addresses on a screen for selection by the user;

receiving means for receiving, in said personal computer, a selection of one of the external reservation systems by the user and for reading out of said from said storage means the home page address of the selected external reservation system;

transmitting and receiving means for connecting said personal computer to a website of the selected external reservation system and displaying a reservation screen thereof on said display means, and for transmitting and receiving information data including a booking number without the aid of said net server via the Internet between said personal computer and the selected external reservation system;

generating means for generating, in said personal computer, booking data of a predetermined format by compiling predetermined data within the information data transmitted and received in said transmitting and receiving means into a predetermined form and sending the booking data of the predetermined format to said net server via said local area network, the booking data of the predetermined format including the booking number;

means, provided in said net server, for storing a received booking data and for sending said booking number included in the received booking data to said issuing terminal;

means for transmitting, upon receiving said booking number included in the booking data from said net server to the selected external reservation system via said at least one communication line; and

means, provided in said issuing terminal, for receiving ticket issuing data from the selected external reservation and for issuing the ticket booked in said the selected external reservation system.

3. A booking and issuing method according to claim 1, further comprising:
converting, in said net server, the booking data received from said personal computer into data of a predetermined hypertext language to generate data for fare adjustment; and
storing the data for fare adjustment in said net server.

4. A booking and issuing system according to claim 2, further comprising:
a converter provided in said net server for converting the booking data received from said personal computer into data of a predetermined hypertext language to generate data for fare adjustment; and
a memory provided in said net server for storing the data for fare adjustment.

5. A booking and issuing method according to claim 1, further comprising:
a step of receiving instructions for the predetermined data format,
wherein the generating step generates, in response to the instructions, booking data of a common data-format using data displayed on the reservation screen of the selected external reservation system and sends the booking data of the common data-format to said net server via said local area network, the common data-format being a data-format common to computers connected to said local area network.

6. A booking and issuing system according to claim 2, further comprising:
a step of receiving instructions for the predetermined data format,
wherein the generating means generates, in response to the instructions, booking data of a common data-format using data displayed on the reservation screen of the selected external reservation system and sends the booking data of the common data-format to said net server via said local area network, the common data-format being a data-format common to computers connected to said local area network.

(ix) EVIDENCE APPENDIX

No new evidence is being submitted with this Brief.

(x) RELATED PROCEEDINGS APPENDIX

In view of section (ii) of this Brief, no copies of decisions are appended.